

OGC 83-04401

27 MAY 1983

MEMORANDUM FOR: See Distribution

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FROM:



Chief, Legislation Division, OGC

SUBJECT: S. 1143 - "Diplomacy Against Drugs Act"

1. Attached for your information please find a copy of S. 1143, the "Diplomacy Against Drugs Act," along with the introductory statement made by Senator Hawkins.

2. In essence, this Bill requires that "United States Assistance" to any major drug (opium, coca or marihuana) producing country be cut off in a particular fiscal year (FY 1985 for example) if in the preceding fiscal year (FY 1984) the country in question had not reduced by 20% from the previous fiscal year (FY 1983) the amount of such drugs produced for non-medical purposes. "United States Assistance" is defined, inter alia, as "any assistance under any Act". Whether or not a country is a "major" drug producer is determined by the amount of drugs produced annually in that country for non-medical purposes.

3. Presumably in order that necessary determinations can be made, the Bill requires the Director of Central Intelligence to produce and provide annually to the Congress and to the Secretary of the Treasury a report on drug production in the major drug producing countries.

4. The two features of S. 1143 which are of interest to the Agency are the DCI annual report and the flat prohibition against any aid to a country which does not reduce its drug production by 20%.

5. This Bill does not appear likely to see action. We will, however, keep you informed of its status.

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Attachment

Distribution:

- 1 - DDI
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Directorate of Operations
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April 26, 1983

CONGRESSIONAL RECORD — SENATE

S 5213

would be remiss were I not to object to what the Department of the Interior is doing and, worse yet, plans to do.

I would be remiss because we have 5,600 unemployed coal miners in Illinois. I would be remiss because our coal production is down in Illinois by 3½ million tons. I cannot in good conscience, Mr. President, condone policies and practices which do grievous harm to my State. I am sure that my colleagues from other coal-producing States share my concerns.

We must, all of us, keep in mind that most of the Western coal in this country is on public lands. Most of the eastern coal in our Nation is on privately owned land. How we handle and balance these two situations is a matter of vital national concern. A Government monopoly is no less a danger to our economic well-being throughout our 50 States than a business monopoly.

I would remind my colleagues, Mr. President, that the House of Representatives is already well into reviewing this entire problem. My distinguished colleague in the Illinois Congressional Delegation, Representative SIDNEY YATES, chairman of the Interior Subcommittee of the House Appropriations Committee, and his colleagues will soon be releasing a report on coal leasing by the Department of the Interior. I commend Congressman YATES and his subcommittee members for their efforts.

But we need immediate action to forestall the continuation of what is obviously a bad program. Nothing less will do.

For the reasons outlined in this statement, I ask my colleagues to review and support my resolution and my bill being offered today and I ask unanimous consent that the bill be printed at this point in the RECORD.

(The resolution submitted by Mr. DIXON, Senate Resolution 123, appears elsewhere in today's RECORD.)

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1142

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding any other provision of law, the Secretary of the Interior may not issue any coal lease on Federal lands for a period of one year after the date of enactment of this Act.

(b) During the one-year moratorium on coal leasing imposed by subsection (a), the General Accounting Office shall investigate and report to the Congress on—

(1) any mismanagement of the leasing of Federal coal resources by the Department of the Interior;

(2) possible alternatives to the current coal lease bidding process that would avoid single bids at below market prices;

(3) changes in Federal law that would assure that the United States receives fair market value for coal leases; and

(4) the near term and future needs of the United States for coal and the impact of re-

leasing large quantities of coal from Federal lands into the marketplace.

By Mrs. HAWKINS:
S. 1143. A bill to condition U.S. assistance to any country which is a major producer of opium, coca, or marihuana on reductions by that country in the levels of such production, and for other purposes; to the Committee on Foreign Relations.

THE DIPLOMACY AGAINST DRUGS ACT

• Mrs. HAWKINS. Mr. President, today, I am introducing the Diplomacy Against Drugs Act, a bill designed to combat the corruption, violent crime, addiction, and health hazards victimizing Florida and the rest of this country as a result of the flow of illegal drugs from abroad.

The American people have had enough. Something must be done to stop this degradation of our country and its citizens. Consider these outrageous statistics on the size of the narcotics industry, its cause and effect relationship with other types of crime, and our economy.

The Drug Enforcement Administration estimates that illicit drug trafficking revenues now exceed \$80 billion per year, an amount equal to over \$350 per capita. That is an increase of almost 50 percent from 1977. Researchers at the National Institute of Drug Abuse found that 243 addicts in one city had committed a total of 500,000 crimes over an 11-year period. A December 1982 special report in the Harvard Business Review revealed that in 1981 drug use by civilian workers cost employers \$16.4 billion in lost productivity and crime.

However, the most tragic impact of illegal drugs in this country is the damage done to our young people: According to a 1981 survey by the National Institute on Drug Abuse, 1 out of every 14 high school seniors uses marihuana daily. Along with less frequent users, that means over one-third of America's young adults currently use illegal drugs. And over 3 million people between the ages of 18 and 25 use cocaine on a regular basis. Escalating drug abuse by the young has led to a terrifying result. During the past 20 years, the health of all Americans has been improving, with one exception. The death rate of young Americans between the ages of 15 and 24 is higher than it was 20 years ago. Medical experts agree that drug abuse has been the major factor in this terrible trend.

Marihuana, in particular poses severe health hazards. The most commonly used illicit drug in the United States, it is not only carcinogenic but also impairs the functioning of the heart, brain, and reproductive system. Since it is often used in combination with alcohol, marihuana compounds the devastating problem of drunk driving.

Cocaine use can be even more dangerous; it can create compulsive drug-taking behavior that disrupts the

normal life of users. Unfortunately, since 1976, cocaine use has become both more prevalent and more intense. Indeed, increased smoking and injection, as methods of cocaine abuse pose even greater health risks than inhalation. As a result, there has been an escalation of injuries and deaths related to cocaine, and the number of individuals undergoing treatment for cocaine abuse has doubled since 1978.

The heroin problem is also getting worse. During 1981, heroin-related deaths rose 25 percent, surpassing the 800-per-year level for the first time since 1976. There are now nearly 500,000 heroin users in the United States.

Because of escalating use of marihuana, cocaine, heroin, and other dangerous narcotics, millions of young Americans have been left emotionally, psychologically, and physically crippled by drug use. Yet, the best way to end the carnage is known.

Time and again, experts who have examined this desperate problem have identified eradication of drug crops in the fields as the best strategy for attack. Since plants cannot hide or move and can be easily destroyed, this strategy has clear advantages; it is simple and it is inexpensive. In two recent instances—in Mexico and Turkey—crop eradication proved successful in dramatically reducing drug exports to the United States. Similarly, during World War II when the supply lines of opium and heroin to the U.S. market were cut off, our heroin problem fell quickly to insignificant proportions.

My bill, the Diplomacy Against Drugs Act, engages this principle in the effort to save American lives. It directly links drug eradication efforts by foreign governments with bilateral U.S. assistance and U.S. votes on grant or loan requests at multilateral development banks. Because American taxpayers are the major donors to the Inter-American Development Bank and to the World Bank, successful drug control efforts would become priorities internationally or U.S. aid would stop. In effect, my legislation informs drug producing countries that if they want military or economic aid, they must demonstrate to us and to other victim nations a willingness to help solve international drug abuse problems they help create.

To demonstrate the financial assistance we now provide major drug producing countries, I ask unanimous consent to enter into the RECORD the following summary.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Major producing country	Illegal drug	Assistance 1980-82	
		U.S. dollars— in millions	Multilateral
Afghanistan	Opium (200 metric tons)	\$0	41

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Major producing country	Illegal drug	Assistance 1980-82	
		U.S. dollars— in millions	Multilateral
Bolivia	Cocaine (35,000 hectares)	35.3	195.5
Burma	Opium (150-170 metric tons)	28.2	365.7
Colombia	Marijuana (7,450-10,000 metric tons)	42.8	2,085.1
Iran	Opium (400-600 metric tons)	0	0
Jamaica	Marijuana (740-1,000 metric tons)	230.4	311.2
Laos	Opium (40 metric tons)	0	43.0
Pakistan	Opium (300-400 metric tons)	336.4	997.9
Peru	Cocaine (40,000-60,000 hectares)	201.4	1,268.4
Thailand	Opium (10-15 metric tons)	269.0	1,948.3

Sources: The National Narcotics Intelligence Consumers Committee—"The Supply of Drugs to the U.S. illicit Market from Foreign and Domestic Sources in 1980 With Projections Through 1984." Country Reports on Human Rights Practices for 1982—Report Submitted to the Committee on Foreign Relations U.S. Senate and Committee on Foreign Affairs U.S. House of Representatives by the Department of State.

Mrs. HAWKINS. Mr. President, if foreign governments prove unwilling to cooperate, then we must act to protect our own vital interests. It is in our power to oppose loans and grants to major drug producers from the Multilateral Development Banks until they take real and verifiable action against illicit drug production and trafficking.

The Diplomacy Against Drugs Act would do exactly that—by requiring U.S. opposition to loans and assistance by multilateral development banks to major drug producing countries unless the President determines and certifies that they cooperate with U.S. drug control efforts, and agree to eradicate at least 20 percent of the marijuana and coca fields annually. This would reduce the supply to an insignificant level after 5 years.

I believe direct linkage of drug eradication with U.S. votes at the multilateral banks is the most effective means of establishing drug control as a priority in our foreign policy. It is vital that U.S. foreign assistance be used as a preventative tool for stopping drugs at their source. While our foreign policy interests with other countries are broad, none should supercede our desire for Americans at home to live free of violent crime and drug abuse. We should consider no nation our friend who contributes to some of the most serious domestic problems facing our Nation. We should not use taxpayers' dollars to help a country that makes victims of us.

Adoption of the diplomacy against drugs bill will establish illegal drug control as a foreign policy priority. I urge my colleagues to join me in this effort to destroy drugs at the source. We must consider foreign assistance in a broader context than we have in the past. As long as illegal drugs destroy American lives we must not let business as usual govern our major drug-producing countries.

Mr. President, I ask unanimous consent that a copy of this bill be printed in the Record at this point.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1143

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Diplomacy Against Drugs Act".

Sec. 2. (a) For any fiscal year, United States assistance may be provided for a country which is a major producer of opium, coca, or marijuana only if the amount of opium, coca, or marijuana (as the case may be) that was produced in that country during the preceding fiscal year is at least 20 percent less than the amount produced in that country during the fiscal year which preceded such preceding fiscal year.

(b) To the extent that the amount of opium, coca, or marijuana (as the case may be) that is produced in a major opium, coca, or marijuana producing country is reduced by more than 20 percent from one fiscal year to the next, the United States Government shall give serious consideration to increasing the level of United States assistance for that country during the fiscal year following such reduction. In addition, in determining for the next fiscal year thereafter whether that country has met the requirement of subsection (a), the amount of any such additional reduction shall be carried over and counted as if it had occurred in the fiscal year following the year in which it actually occurred.

Sec. 3. The Secretary of the Treasury shall instruct each United States Executive Director of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, and the Inter-American Development Bank to oppose actively the extension of any loan or the furnishing of any financial assistance or technical assistance during a fiscal year by the respective international financial institution to a country which is a major producer of opium, coca, or marijuana, unless the amount of opium, coca, or marijuana (as the case may be) that was produced in that country during the preceding fiscal year is at least 20 percent less than the amount produced in that country during the fiscal year which preceded such fiscal year.

Sec. 4. Not later than March 15 of each year, the Director of Central Intelligence shall prepare and transmit to the Congress and to the Secretary of the Treasury a report on opium, coca, or marijuana production in major producing countries. Each such report shall set forth the actual amount of opium, coca, or marijuana (as the case may be) which was produced in each major opium, coca, or marijuana producing country during the preceding fiscal year and the estimated amount of such production for the then current fiscal year. Each such report shall also set forth the amounts of opium or coca produced solely for pharmaceutical purposes in each such country during each such year.

Sec. 5. (a) For purposes of this Act, a country is a major producer of opium if it produced 20 metric tons or more of opium during a fiscal year.

(b) For purposes of this Act, a country is a major producer of coca or marijuana if it produced 15,000 hectares or more of coca or marijuana (as the case may be) during a fiscal year.

(c) In carrying out this Act, opium or coca produced solely for pharmaceutical purposes shall not be counted in determining amounts of production.

(d) As used in this Act, the term "United States assistance" includes any assistance of any kind (other than assistance involving only the provision of food or medicine)

which is provided by grant, sale, loan, lease, credit, guaranty, or insurance, or by any other means, by any agency or instrumentality of the United States Government to or for the benefit of any foreign country, including—

(1) assistance under the Foreign Assistance Act of 1961 (including programs under title IV of chapter 2 of part I, relating to the Overseas Private Investment Corporation, but excluding programs under chapter 8 of part I, relating to international narcotic control assistance);

(2) sales, credits, and guaranties under the Arms Export Control Act;

(3) sales under title I (including title III) and donations under title II of the Agricultural Trade Development and Assistance Act of 1954 of nonfood commodities;

(4) financing programs of the Commodity Credit Corporation for export sales of nonfood commodities;

(5) financing under the Export-Import Bank Act of 1945;

(6) assistance under the Migration and Refugee Assistance Act of 1962;

(7) programs under the Peace Corps Act;

(8) assistance under the Inter-American Foundation Act;

(9) assistance under the African Development Foundation Act;

(10) financial assistance for foreign persons or groups under the Mutual Educational and Cultural Exchange Act of 1961; and

(11) assistance of any kind under any other Act.

By Mr. HEINZ (for himself, Mr. COHEN, Mr. PRYOR, Mr. LEVIN, Mr. PERCY, Mr. BOREN, Mr. MOYNIHAN, Mr. MATSUNAGA, Mr. ANDREWS, Mr. SARABANES, Mr. SPECTER, Mr. RANDOLPH, Mr. PRESSLER, Mr. MELCHER, Mr. STAFFORD, Mr. INOUE, Mrs. HAWKINS, Mr. BURDICK, Mr. SASSER, Mr. CRANSTON, Mr. KENNEDY, Mr. RIEGLE, and Mr. BAUCUS):

S. 1144. A bill to suspend periodic reviews of disability beneficiaries having mental impairments pending regulatory reform of the disability determination process; to the Committee on Finance.

CONTINUING DISABILITY REVIEWS OF MENTALLY DISABLED

Mr. HEINZ. Mr. President, I am today introducing legislation that would halt the continuing disability reviews of social security and SSI beneficiaries suffering from severe mental disabilities, until such time as the Social Security Administration has completed a reform of the criteria and the procedures it uses to evaluate such disabilities. And I am pleased to announce that a total of 22 Members of the Senate have already joined in sponsoring this important measure, and I am particularly grateful for the encouragement and support of Senators COHEN, LEVIN, and PRYOR, who have taken so active an interest in the problems associated with the continuing disability review process.

The bill is particularly urgent. Two days of hearings before the Senate Special Committee on Aging on April 7 and 8 presented truly overwhelming